



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Walke et al

Application No.: 09/918,359

Filed: July 30, 2001 Group Art Unit: 1645

Title: Novel Human Ion Channel Proteins and Atty Docket No.: LEX-0208-USA
Polynucleotides Encoding the Same

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF APPLICATION - FILING DATE GRANTED**

Commissioner for Patents
Washington, D.C. 20231
Attention: Box Missing Parts

Sir:

In response to the "Notice to File Missing Parts of Application - Filing Date Granted" mailed by the U.S. Patent and Trademark Office on September 26, 2001, Applicants submit the following documents to complete the filing requirements of the above-identified application:

1. Executed Declaration and Power of Attorney; and
2. Return copy of Notice to File Missing Parts of Application - Filing Date Granted.

The U.S. Patent and Trademark Office is hereby authorized to charge the following fees to Lexicon Genetics Incorporated Deposit Account No. 50-0892:

- | | | |
|----|--|----------|
| 1. | Statutory basic filing fee | \$370.00 |
| 2. | Surcharge Fee for filing declaration on a date later than the filing date of the application per 37 CFR 1.492(e) | \$65.00 |
| 3. | Additional Independent Claims (over 3) - 3 | \$126.00 |

TOTAL **\$561.00**

4. The Commissioner is hereby authorized to charge any additional fees associated with this paper communication or credit any overpayment to Deposit Account No. 50-0892.

The documents submitted herewith complete the filing of the above patent application. This form is being submitted in duplicate.

Respectfully submitted,

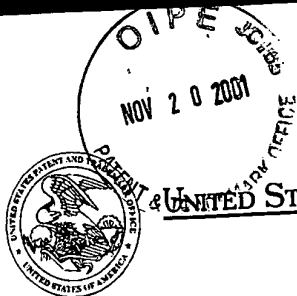
November 13, 2001

Date

Lance K. Ishimoto by David W. Hobler DAVID W. HOBLER
Lance K. Ishimoto Reg. No. 41,866 REG NO. 41,071

LEXICON GENETICS INCORPORATED
4000 Research Forest Drive
The Woodlands, TX 77381
Telephone No.: (281) 863-3333

Enclosures



NOV 20 2001

UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/918,359	07/30/2001	D. Wade Walke	LEX-0208-USA

 24231
 LEXICON GENETICS INCORPORATED
 4000 RESEARCH FOREST DRIVE
 THE WOODLANDS, TX 77381

 CONFIRMATION NO. 1068
 FORMALITIES LETTER


OC000000006798369

Date Mailed: 09/26/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

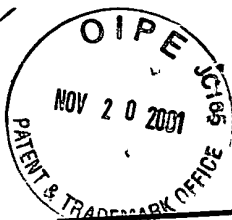
- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee for a small entity.
- Total additional claim fee(s) for this application is \$120.
 - \$120 for 3 independent claims over 3.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 540.

A copy of this notice **MUST** be returned with the reply.

 Customer Service Center
 Initial Patent Examination Division (703) 308-1202
 PART 2 - COPY TO BE RETURNED WITH RESPONSE

11/20/2001 YPOLITE1 00000065 500892 09918359

01 FC:201	370.00 CH
02 FC:202	126.00 CH
03 FC:205	65.00 CH



PTO/SB/21 (12-87)
Approval for use through 9/30/00. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

14

Application Number

09/918,359

Filing Date

July 30, 2001

First Named Inventor

Walke, D. Wade

Group Art Unit

1645

Examiner Name

to be assigned

Attorney Docket Number

LEX-0208-USA

ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment/Response

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/Incomplete Application

☒ Response to Missing Parts under 37 CFR 1.52 or 1.53

☐ Assignment Papers (for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition

☐ To Convert a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Small Entity Statement

☐ Request of Refund

☐ After Allowance Communication to Group

☐ Appeal Communications to Board of Appeals and Interferences

☐ Appeal Communications to Group (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Additional Enclosure(s) (please identify below):

return postcard

Executed Declaration

Remarks

4 sets of Declarations/POAs - 8 pages total

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Lance K. Ishimoto, Reg. No. 41,866

Lexicon Genetics Incorporated

Signature

Lance K. Ishimoto by David W. Habler

DAVID W. HABLER

Reg. No. 41,071

Date

November 13, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: November 13, 2001

Typed or printed name

Michelle Klein

Date

November 13, 2001

Signature

Michelle Klein

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.